

Long Term Control Plan Consent Decree Status Report: Quarter No. 2 - 2011

Consolidated Civil Action No. 1:00CV00183TFH

July 2011

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY Washington, D.C.

Long Term Control Plan Consent Decree Status Report Quarter No. 2 - 2011

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1. INTRODUCTION

The District of Columbia Water and Sewer Authority (DC WATER or Authority) entered into a Consent Decree (CD) with the U.S. Government to establish a schedule for implementation of DC WATER's Long Term Control Plan (LTCP). The CD was entered by the court on March 23, 2005 in Consolidated Civil Action No. 1:CV00183TFH by the United States District Court for the District of Columbia.

The CD requires that DC WATER submit written status reports to the Environmental Protection Agency (EPA) by the 28th day of the month following the end of each calendar quarter. The CD requires that the following be provided in each status report:

- The deadlines and other terms that DC WATER is required to meet since the date of the last quarterly statement, whether and to what extent DC WATER has met these requirements, and the reasons for any noncompliance.
- A statement tracking DC WATER's progress against the detailed implementation schedules. This is to be completed after completion of facility planning for each receiving water.
- A general description of the work completed in the quarter, and a projection of work to be performed in the next quarter.

This report covers April through June 2011, which is Quarter No.2 in 2011.

2. ITEMS REQUIRING GOVERNMENT ACTION

The following is a status report for items requiring government action this quarter:

	ITEMS REQUIRING GOVERNMENT ACTION				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status	
	None				

3. REQUIREMENTS DUE IN CURRENT QUARTER

The following is a status report for requirements due this quarter:

	REQUIREMENTS DUE THIS QUARTER				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status	
p.19, VI.C.24.	Rock Creek CSO Outfall Separation				
		60 days after place in			
	Submit certification to EPA	operation	22-May-2011	Completed	

4. REQUIREMENTS DUE NEXT QUARTER

The following is a status report for requirements due in the next quarter:

	REQUIREMENTS DUE NEXT QUARTER				
Reference	Reference Requirement Deadline in CD Calendar Deadline Status				
	None	200000000000000000000000000000000000000			

5. PROJECTION OF WORK TO BE PERFORMED NEXT QUARTER

Next quarter, DC WATER anticipates working on the following items:

- Low Impact Development Retrofit continue to investigate methods of procuring and constructing the LID retrofits
- Blue Plains and Anacostia River Tunnel planning, design, geotechnical investigations, property rights acquisition, procurement along with construction of a site preparation project for the Blue Plains Tunnel within the Treatment Plant site.

6. REQUIREMENTS DUE AFTER NEXT QUARTER

The following are requirements due after next quarter. Only those activities which are not addressed in prior tables are included.

		Requirements Due Af	ter Next Quarter	
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	Anacostia River Projects			
p.12, VI.A.12.	Fort Stanton Interceptor			
	Award contract for detailed design	8 years from entry	23-Mar-2013	
	Award contract for construction	11 years from entry	23-Mar-2016	DC WATED is monitoring the deadlines and based
	Place in operation	13 years from entry	23-Mar-2018	DC WATER is monitoring the deadlines and based on the information currently available, expects to
	Submit certification to EPA	60 days after place in operation	22-May-2018	meet these deadlines
p.13, VI.A.13.	Tunnel From Poplar Point to Northeast Boundary			
	Award contract for construction	7 years from entry	23-Mar-2012	DC WATER is monitoring the deadlines and based
	Place in operation	13 years from entry	23-Mar-2018	on the information currently available, expects to
	Submit certification to EPA	60 days after place in operation	22-May-2018	meet these deadlines
p.13, VI.A.14.	Poplar Point Pumping Station			
	Award contract for detailed design	7 years from entry	23-Mar-2012	
	Award contract for construction	10 years from entry	23-Mar-2015	DC WATER is monitoring the deadlines and based
	Place in operation	13 years from entry	23-Mar-2018	on the information currently available, expects to
	Submit certification to EPA	60 days after place in operation	22-May-2018	meet these deadlines
p.14, VI.A.15.	Tunnel Parallel to Northeast Boundary Sewer			
	Award contract for detailed design	10 years from entry	23-Mar-2015	DC WATER is monitoring the deadlines and based
	Award contract for construction	13 years from entry	23-Mar-2018	on the information currently available, expects to

		Requirements Due Aft	er Next Quarter	
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	Place in operation	20 years from entry	23-Mar-2025	meet these deadlines
		60 days after place in		
	Submit certification to EPA	operation	22-May-2025	
p.15, VI.A.16.	NEB Side Tunnels			
	Award contract for detailed design	14 years from entry	23-Mar-2019	
	Award contract for construction	17 years from entry	23-Mar-2022	DC WATER is monitoring the deadlines and based
	Place in operation	20 years from entry	23-Mar-2025	on the information currently available, expects to
	Submit certification to EPA	60 days after place in operation	22-May-2025	meet these deadlines
p.15, VI.A.17.	Anacostia Outfall Consolidation			
	Award contract for detailed design	8 years from entry	23-Mar-2013	
	Award contract for construction	11 years from entry	23-Mar-2016	DC WATER is monitoring the deadlines and based
	Place in operation	13 years from entry	23-Mar-2018	on the information currently available, expects to
	Submit certification to EPA	60 days after place in operation	22-May-2018	meet these deadlines
	Potomac River Projects	1	·	
p.16, VI.B.18.	Potomac Facility Plan			
•	Start Potomac Facility Plan	10 years from entry	23-Mar-2015	
	Submit summary report & detailed implementation schedule	13 years from entry	23-Mar-2018	DC WATER is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Potomac Tunnel Dewatering Pumping			
p.16, VI.B.20.	Station			
	Award contract for detailed design	15 years from entry	23-Mar-2020	
	Award contract for construction	18 years from entry	23-Mar-2023	
	Place in operation	20 years from entry	23-Mar-2025	DC WATER is monitoring the deadlines and based
		60 days after place in		on the information currently available, expects to
	Submit certification to EPA	operation	22-May-2025	meet these deadlines
p.17, VI.B.21.	Potomac Storage Tunnel			
	Award contract for detailed design	13 years from entry	23-Mar-2018	
	Award contract for construction	16 years from entry	23-Mar-2021	DC WATER is monitoring the deadlines and based
	Place in operation	20 years from entry	23-Mar-2025	on the information currently available, expects to
	Submit certification to EPA	60 days after place in operation	22-May-2025	meet these deadlines

		Requirements Due Aft	er Next Quarter	
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
p.18, VI.B.22.	Potomac Outfall Consolidation			
	Award contract for detailed design	13 years from entry	23-Mar-2018	
	Award contract for construction	16 years from entry	23-Mar-2021	DC WATER is monitoring the deadlines and based
	Place in operation	20 years from entry	23-Mar-2025	on the information currently available, expects to
	Submit certification to EPA	60 days after place in operation	22-May-2025	meet these deadlines
	Rock Creek Projects			
p.18, VI.C.23.	Rock Creek Facility Plan			
	Start Rock Creek Facility Plan	11 years from entry	23-Mar-2016	
	Submit summary report & detailed implementation schedule	14 years from entry	23-Mar-2019	DC WATER is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
p.20, VI.C.27.	Monitoring at CSOs 033, 036, 047, 057			
	Place in operation selected alternative	6 years after EPA approval of plan	04-Oct-2013	DC WATER is monitoring the deadlines and based on the information currently available, expects to
	Submit certification to EPA	60 days after place in operation	60 days after place in operation	meet these deadlines
p.20, VI.C.28.	Piney Branch Storage Tunnel			
	Award contract for detailed design	14 years from entry	23-Mar-2019	
	Award contract for construction	17 years from entry	23-Mar-2022	
	Place in operation	20 years from entry	23-Mar-2025	DC WATER is monitoring the deadlines and based
	Submit certification to EPA	60 days after place in operation	22-May-2025	on the information currently available, expects to meet these deadlines
	Blue Plains Projects			
04 177 000	Blue Plains Excess Flow			
p.21. VI.D.29.	Improvements	7 C	22.14 2012	
	Award contract for construction	7 years from entry	23-Mar-2012	
	Place in operation	11 years from entry	23-Mar-2016	DC WATER is monitoring the deadlines and based
	Submit certification to EPA	60 days after place in operation	22-May-2016	on the information currently available, expects to meet these deadlines

	Requirements Due After Next Quarter					
Reference	Requirement	Deadline in CD	Calendar Deadline	Status		
	Other Requirements					
p.6, II.3.	General					
	Copy of decree to consultants/contractors	As required	As required	DC WATER will send copies of the CD to consultants/ contractors as they are retained for projects required by the CD.		
p.22. VI.E.30.	Public Notification					
	Submit plan with details Place in operation	As part of Facility Plans for each receiving water As part of associated construction project	As part of Facility Plans for each receiving water As part of associated construction project	DC WATER is monitoring the deadlines and based on the information currently available, expects to meet these deadlines		
	Truce in operation	construction project	construction project	intert these deddines		
p.27. IX.	Low Impact Development Retrofit					
	Place in operation	6 yrs after EPA approval of plan	18-Mar-2014			
	Monitoring LID Projects	12 months after place in operation	12 months after place in operation	DC WATER is monitoring the deadlines and based		
	Operate & maintain projects	5 yrs after place in operation	5 yrs after place in operation	on the information currently available, expects to meet these deadlines		
	Review results and determine if Potomac or Rock Creek tunnel size can be reduced	As part of Pot & RC facility plan	As part of Pot & RC facility plan			
p.29.XI	Reporting	7 1	7 1			
	Submit quarterly status reports	Quarterly, 28th day of month after calendar quarter	Ongoing	DC WATER prepares status reports quarterly in		
	Post reports on website	Quarterly	Quarterly	accordance with the consent decree.		
				Reports are on DC WATER's web site at http://www.DC WATER.com/education/css/css_reports.cfm . This report will be posted on DC WATER's web site after submittal to EPA.		

7. REQUIREMENTS COMPLETED IN PRIOR QUARTERS The following is a summary of requirements completed in prior quarters:

	REQUIREMENTS COMPLETED IN PRIOR QUARTERS					
Reference	Requirement	Deadline in CD	Calendar Deadline	Status		
p.11, VI.A.9. and p. 28, X.47	EPA approval of Anacostia River Projects Facility Plan Summary Report and Detailed Implementation Schedule submitted per p.11, VI.A.9.	-	-	Submitted 18-Sept-2008. On 27-April-2009 EPA responded with a list of questions. On 15-May-2009 DC WATER provided responses to these questions. On 29-July-2009 EPA provided a second set of questions. On 03-Sept2009 DC WATER responded. On 17-March-2010 EPA provided a third set of comments; however, these were duplicates of prior comments. On April 27 and May 25, 2010, EPA provided a fourth set of comments. On June 23, 2010, DC WATER provided a response. On July 27, 2010, EPA approved the Anacostia River Projects Facility Plan.		
p.11, VI.A.9.	Anacostia Facility Plan Start Anacostia Facility Plan	6 months from entry	23-Sep-2005	Completed. DC WATER initiated the Anacostia Facility Plan on April 4, 2005. Notice to proceed to consultant issued September 22, 2005.		
p.11, VI.A.9.	Anacostia Facility Plan Submit summary report & detailed implementation schedule	3 yrs 6 mos from entry	23-Sep-2008	Submitted 18-Sept-2008 Completed ahead of schedule. Contract awarded March 3, 2006 to Black & Veatch under		
p.12, VI.A.11.	Separate Fort Stanton Award contract for detailed design	1 year from entry	23-Mar-2006	Agreement No. DCFA #389-WSA, Task Order No. 8.		
p.12, VI.A.11.	Separate Fort Stanton Award contract for construction	3 years from entry	23-Mar-2008	Completed. Contract awarded February 19, 2008 to Sagres Construction Corporation.		
p.12, VI.A.11.	Separate Fort Stanton Place in operation	5 years from entry	23-Mar-2010	Placed in operation on 17-Mar-2010		
P.12, VI.A.11	Separate Fort Stanton Submit Certification to EPA	60 days after place in operation	16-May-2010	Submitted 1-April-2010		

	REQUIREMENTS COMPLETED IN PRIOR QUARTERS					
Reference	Requirement	Deadline in CD	Calendar Deadline	Status		
p.13, VI.A.13.	Tunnel From Poplar Point to Northeast Boundary Award contract for detailed design	4 years from entry	23-Mar-2009	Completed. The Authority awarded contracts on March 20, 2009 to Greeley and Hansen and Jacobs Underground that provide for detailed design.		
p.19, VI.C.24.(2)	Rock Creek CSO Outfall Separation Award contract for detailed design	2 years from entry	23-Mar-2007	Completed ahead of schedule. Contract awarded March 15, 2007 to Black & Veatch under Agreement No. DCFA #389-WSA, Task Order No. 25.		
p.19, VI.C.24.	Rock Creek CSO Outfall Separation Award contract for construction	4 years from entry	23-Mar-2009	Completed. Contract awarded March 17, 2009 to Anchor Construction Corporation.		
p.19, VI.C.24.	Rock Creek CSO Outfall Separation Place in operation	6 years from entry	23-Mar-2011	Completed ahead of schedule. DC Water submitted an individual Construction Project Certification letter to EPA on March 21, 2011.		
p.19, VI.C.25	Monitoring at CSO 033, 036, 047, 057 Submit monitoring data	30 days from entry	22-Apr-2005	Completed. DC WATER submitted the monitoring data on April 15, 2005, and EPA approved the data in a letter dated November 23, 2005.		
p.19, VI.C.25	Monitoring at CSO 033, 036, 047, 057 Start additional monitoring at Rock Creek CSO 033, 036, 047, 057 if req'd by EPA	60 days after notification by EPA	60 days after notification by EPA	In a letter dated November 23, 2005, EPA indicated that no additional monitoring was required.		
p.20, VI.C.27.	Monitoring at CSOs 033, 036, 047, 057 Submit report with results of monitoring, selection of control alternative and schedule for design, award of construction contract and placing facilities in operation	6 mos after notification by EPA that monitoring is approved	23-May-2006	Submitted to EPA May 19, 2006. DC WATER received a letter from EPA on October 4, 2007 approving the proposed CSO controls for these CSOs.		
p.20, VI.C.27.	Monitoring at CSOs 033, 036, 047, 057 Commence implementation of plan to address these CSOs	Within 90 days of EPA approval of plan	02-Jan-2008	DC WATER completed implementation by drafting scopes of work for detailed design of the required CSO controls.		
p.20, VI.C.27.	Monitoring at CSOs 033, 036, 047, 057 Award contract for detailed design	1 year after EPA approval	04-Oct-2008	Task order executed with Black & Veatch on 22-Sept-2008.		
p.20, VI.C.27.	Monitoring at CSOs 033, 036, 047, 057 Award contract for construction	2.5 years after award of design contract	22-Mar 2011	Completed. DC Water awarded contract for construction on March 18, 2011.		
p.22. VI.E.30.	Public Notification (Anacostia) Submit plan with details	As part of Facility Plans for each receiving water	23-Sep-2008 for Anacostia	Included in Anacostia Facility Plan submitted 18-Sept-2008		

	REQUIREMENTS COMPLETED IN PRIOR QUARTERS					
Reference	Requirement	Deadline in CD	Calendar Deadline	Status		
Reference	Grant Funding	When DC WATER learns it will be appropriated or	When DC WATER learns it will be appropriated or	 \$6,930,000.00 was received from Congress for FY 2006 for the LTCP \$8,000,000 was appropriated to DC WATER for the LTCP for FY2008 in the Consolidated Appropriations Act, 2008 P.L. 110-161 \$16,000,000 was appropriated to DC WATER for implementation of the LTCP for FY2009, pursuant to the Omnibus Appropriations Act, 2009 P.L. 111-8 \$20,000,000 was appropriated to DC WATER for implementation of the LTCP for FY2010, pursuant to the Consolidated Appropriations Act, 2010 Public Law 111- 		
p.25. VII.37	Report source, amount, timing to EPA	received	received	117		
	Low Impact Development Retrofit Submit plan for LID at DC WATER			Submitted to EPA March 23, 2007. DC WATER received EPA's comments on the plan on October 10, 2007 and provided a response on November 14, 2007. DC WATER received a letter from EPA on March 18, 2008 approving the plan for LID at DC WATER facilities. DC WATER submitted a revised Plan for EPA approval in January 2010. DC Water received an approval letter on 4-Nov-2010 from EPA R-III		
p.27. IX.45	Facilities	2 years from entry	23-Mar-2007	approving the revised LID Plan.		

8. PROGRESS REPORT ON ANACOSTIA RIVER PROJECTS

The Facility Plan for the Anacostia River Projects submitted on September 18, 2008 included a detailed implementation schedule. Per the consent decree, the quarterly consent decree status reports are required to include a statement tracking DC WATER's progress against the detailed implementation schedule. The decree indicates that the deadlines in the detailed implementation schedule serve to track and report progress and are not enforceable obligations of the consent decree. The statement tracking progress is provided below:

Contr.			Milestone for	
Div.	Description	Activity	Tracking	Status
		Award Contract for Detailed Design	23-Mar-2009	The Authority awarded contracts on March 20, 2009 that provide for detailed design.
A	Blue Plains Tunnel and Main Outfall	Award Contract for Construction	1-May-2011	The Authority awarded contracts that provided for construction on May 05, 2011.
	Sewer Diversion	Ready to be Placed in Operation	1-Jul-2015	(1)
		Place in Operation	23-Mar-2018	(1)
		Award Contract for Detailed Design	1-Oct-2010	The Authority combined this Contract Division with Contract Division I – Main Pumping Station and Tingey Street Diversions and will award Detailed Design on 2-Jan-2012
В	014	Award Contract for Construction	1-Oct-2012	The Authority combined this Contract Division with Contract Division I – Main Pumping Station and Tingey Street Diversions and will award Construction on 2-Sep-2013
		Ready to be Placed in Operation	1-Oct-2014	The Authority rolled this Contract Division with Contract Division I – Main Pumping Station and Tingey Street Diversions and will ready to place in operation on 1-Jul-2017
		Place in Operation	23-Mar-2018	(1)
	CSO-019 Overflow	Award Contract for Detailed Design	1-Jun-2009	The Authority awarded contracts on March 20, 2009 that provide for detailed design.
С	and Diversion	Award Contract for Construction	1-Mar-2011	(2)
	Structure	Ready to be Placed in Operation	1-Nov-2013	(1)
		Place in Operation	23-Mar-2018	(1)
	Bolling AFB	Award Contract for Detailed Design	1-Oct-2013	(1)
D	Overflow and	Award Contract for Construction	1-Jul-2015	(1)
D	Potomac Outfall	Ready to be Placed in Operation	1-Jul-2017	(1)
	Sewer Diversion	Place in Operation	23-Mar-2018	(1)
Е	M Street Diversion Sewer for CSOs	Award Contract for Detailed Design	1-Aug-2009	The Authority awarded contracts on March 20, 2009 that provide for detailed design.

Contr.			Milestone for	
Div.	Description	Activity	Tracking	Status
	015, 016, and 017	Award Contract for Construction	1-May-2011	(3)
		Ready to be Placed in Operation	1-Nov-2013	(1)
		Place in Operation	23-Mar-2018	(1)
		Award Contract for Detailed Design	1-Apr-2010	The Authority rolled this Contract Division with Contract Division H – Anacostia River Tunnel and will award the design-build on 1-Jun-2013
F	CSO 018 Diversion Sewer	Award Contract for Construction	2-Jan-2012	The Authority rolled this Contract Division with Contract Division H – Anacostia River Tunnel and will award the design-build on 1-Jun-2013
	Se wer	Ready to be Placed in Operation	1-Jul-2013	The Authority rolled this Contract Division with Contract Division H – Anacostia River Tunnel and will award the design-build on 1-Jun-2013
		Place in Operation	23-Mar-2018	
		Award Contract for Detailed Design	1-April-2010	The Authority rolled this Contract Division with Contract Division H – Anacostia River Tunnel and will award the design-build on 1-Jun-2013
G	CSOs 005 and 007 Diversion Sewer	Award Contract for Construction	2-Jan-2012	The Authority rolled this Contract Division with Contract Division H – Anacostia River Tunnel and will award the design-build on 1-Jun-2013
		Ready to be Placed in Operation	1-Jul-2013	The Authority rolled this Contract Division with Contract Division H – Anacostia River Tunnel and will award the design-build on 1-Jun-2013
		Place in Operation	23-Mar-2018	(1)
		Award Contract for Detailed Design	1-Nov-2011	(1)
Н	Anacostia River	Award Contract for Construction	1-Nov-2013	(1)
11	Tunnel	Ready to be Placed in Operation	23-Mar-2018	(1)
		Place in Operation	23-Mar-2018	(1)
		Award Contract for Detailed Design	2-Jan-2013	The Authority rolled this Contract Division with Contract Division B – Tingey Street Diversions and will award Detailed Design on 2-Jan-2012
I	Main Pumping	Award Contract for Construction	2-Jan-2015	The Authority rolled this Contract Division with Contract Division B – Tingey Street Diversions and will award Construction on 2-Sep-2013
	Station Diversions		24 5 2045	The Authority rolled this Contract Division with Contract Division B – Tingey Street Diversions and will ready to place in operation on 1-Jul-
		Ready to be Placed in Operation	31-Dec-2017	2017
		Place in Operation	23-Mar-2018	(1)
		Award Contract for Detailed Design	2-Jan-2019	(1)
I I I	Northeast	Award Contract for Construction	2-Jan-2021	(1)
		Ready to be Placed in Operation	23-Mar-2025	(1)
		Place in Operation	23-Mar-2025	(1)
K	Northeast	Award Contract for Detailed Design	2-Jan-2016	(1)
	Boundary Branch	Award Contract for Construction	23-Mar-2018	(1)

Contr.			Milestone for	
Div.	Description	Activity	Tracking	Status
	Tunnels	Ready to be Placed in Operation	1-Jul-2022	(1)
		Place in Operation	23-Mar-2025	(1)
L	Northeast Boundary Diversions	Award Contract for Detailed Design	23-Mar-2014	(1)
		Award Contract for Construction	23-Mar-2016	(1)
		Ready to be Placed in Operation	23-Mar-2018	(1)
		Place in Operation	23-Mar-2025	(1)
M		Award Contract for Detailed Design	2-Jan-2017	(1)
		Award Contract for Construction	2-Jan-2019	(1)
		Ready to be Placed in Operation	31-Dec-2020	(1)
		Place in Operation	23-Mar-2025	(1)
ĭ	Blue Plains Tunnel Dewatering Pumping Station and Enhanced	Award Contract for Detailed Design	1-Apr-2013	(1)
		Award Contract for Construction	1-Jul-2015	(1)
		Ready to be Placed in Operation	31-Dec-2017	(1)
	Clarification			
	Facility (ECF)	Place in Operation	23-Mar-2018	(1)
Z	Replacement	Award Contract for Detailed Design	23-Mar-2012	(1)
		Award Contract for Construction	23-Mar-2015	(1)
		Ready to be Placed in Operation	23-Mar-2018	(1)
		Place in Operation	23-Mar-2018	(1)

Notes:

- 1. DC WATER is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
- 2. DC WATER anticipates to award contract for construction for CSO 019 Overflow and Diversion Structure on 7-July-2011 without any impact to Consent Decree completion milestones.
- 3. DC WATER anticipates to award contract for construction for M Street Diversion Sewer on 16-May-2012 without any impact to the Consent Decree completion milestones.